

DEC. 12. 2005 2:32PM
TO: USPTO

ZILKA-KOTAB, PC

NO. 1261 P. 1
RECEIVED
CENTRAL FAX CENTER
DEC 12 2005

ZILKA-KOTAB
PC
ZILKA, KOTAB & FEECE™

95 SOUTH MARKET ST., SUITE 420
SAN JOSE, CA 95113

TELEPHONE (408) 971-2573
FAX (408) 971-4660

FAX COVER SHEET

Date: December 12, 2005	Phone Number	Fax Number
To: Examiner Truong		(571) 273-8300
From: Kevin J. Zilka		

Docket No.: NAIIP096/02.015.01

App. No: 10/071,587

Total Number of Pages Being Transmitted, Including Cover Sheet: 05

Message:

Please deliver to Examiner Truong.

Thank you,
Kevin J. Zilka

☐ Original to follow Via Regular Mail ☒ Original will Not be Sent ☐ Original will follow Via Overnight Courier

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (if long distance, please call collect) and return the original message to us at the above address via the U.S. Postal Service. Thank you.

IF YOU DO NOT RECEIVE ALL PAGES OR IF YOU ENCOUNTER
ANY OTHER DIFFICULTY, PLEASE PHONE Erica
AT (408) 971-2573 AT YOUR EARLIEST CONVENIENCE

December 12, 2005

page 4 & 5 are missing

DEC 12 2005

Practitioner's Docket No. NAI1P096/02.015.01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Joseph J. Pantuso et al.

Application No.: 10/071,587

Group No.: 2126

Filed: February 8, 2002

Examiner: Truong, L.

For: EXTRACTOR SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR
MANAGING NETWORK ACCESS ON A PER-APPLICATION BASIS

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)

Transmitted herewith is a Notice of Appeal in this application, which reinstates the appeal originally instated by the Notice of Appeal filed on June 29, 2005, and the original appeal brief filed July 13, 2005. Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed October 4, 2005, for a third time rejecting claims 1-29.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

CERTIFICATION UNDER 37 C.F.R. ' 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

_ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

_ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

_ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

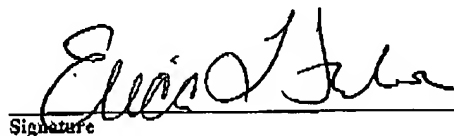
TRANSMISSION

✓ facsimile transmitted to the Patent and Trademark Office, (571) 273-8300.

Date:

12/12/2005

Signature



Erica L. Farlow

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal from the Primary Examiner to Board--page 1 of 2

10071587

12/14/2005 TBESHRI 00000011 501351

01 FC:1401 500.00 DA

DEC 12 2005

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

Other than a small entity	\$500.00
Notice of Appeal fee due	\$500.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant(s) believe that no Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-1351.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$0.00 (paid previously on June 29, 2005)
TOTAL FEE DUE	\$0.00

5. FEE PAYMENT

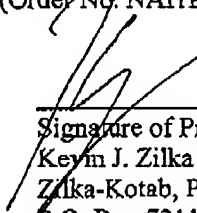
Applicant believes that only the above fees are due in connection with the filing of this paper because the Notice of Appeal fee was paid with a previous submission. However, the commissioner is authorized to charge any fees that may be due to deposit account 50-1351 (Order No. NAIIP096).

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. NAIIP096).

Reg. No.: 41,429
Tel. No.: 408-971-2573
Customer No.: 28875



Signature of Practitioner
Kevin J. Zilka
Zilka-Kotab, PC
P.O. Box 721120
San Jose, CA 95172-1120
USA